

**REMARKS/ARGUMENTS**

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter that Applicant regards as the invention.

Reconsideration of the subject patent application in view of the present remarks is respectfully requested.

Claims 1, 6, 12-13 and 16-19 are amended.

***Claim Rejections - 35 USC § 112***

Claims 1 and 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Claims 1 and 16 have been amended to comply with 35 U.S.C. 112, first paragraph. Thus, the rejection as it applied to claims 1 and 16 is moot.

***Claim Rejections - 35 USC § 101***

Claims 1, 6, 12-13, 16-21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 20-21 have been cancelled. Thus, the rejection as it applies to claims 20-21 is moot. Claims 1, 12, 13 and 16 have been amended to comply with 35 U.S.C. 101. Specifically, the method of claim 1 is tied to a transmitting apparatus and a receiving apparatus. Also, the apparatus of claims 12 and 13 are tied to a transmitting apparatus and a receiving apparatus, respectively. Moreover, the system of claim 16 is tied to a transmitting apparatus and a receiving apparatus. Claims 6, 17, 18 and 19 are

Page 9 of 11

dependent from claims 1, 12, 13 and 16, respectively. In addition, the term “the event” has been deleted from claims 1, 12-13 and 16. Thus, the rejection as it applied to claims 1, 6, 12-13, 16-19 is moot.

***Claim Rejections - 35 USC § 103***

Claims 12, 13, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito et al. (USPN 6,249,740, referred to as Ito) and Myr (USPubN 2001/0029425, referred to as Myr), in view of Schipper (USPN 5,815,118, referred to as Schipper).

Regarding claims 12 and 13, none of Ito, Myr and Schipper, alone or in combination, discloses, teaches or renders foreseeable that a road segment on a first digital map is represented by a first road shape and the road segment on a second digital map is represented by a second road shape which has a different shape from the first road shape, and that a string of coordinates of points represents the first road shape of the road segment. Support for the above feature is provided in the specification, especially in the related art section and Fig. 7. In Ito, the road segments on the first and second digital maps have the same shape. Myr and Schipper also fail to disclose this feature.

Further, regarding claim 13, none of Ito, Myr and Schipper, alone or in combination, discloses, teaches or renders foreseeable performing matching of the string of coordinates of points included in the received location information with the second road shape on the second digital map by using the string of coordinates of the points and the attribute information included in the location information. The Examiner asserts that this feature is disclosed on C19, L66-67; C20 L1-12; Fig. 11 of Ito. However, this merely discloses comparing a road which is drawn by

plotting node point data DT with a travelling trace of the vehicle, not with the road shape on the second digital map.

Therefore, the asserted combination of Ito, Myr and Schipper does not render claims 12 and 13 obvious. Thus, withdrawal of the rejection as it applies to claims 12 and 13 is respectfully requested.

Claims 17 and 18 which are dependent from claims 12 and 13, respectively, should be allowable for at least the same reason as claims 12 and 13.


In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. NGB-34408.

Respectfully submitted,

PEARNE & GORDON LLP

By:

  
Nobuhiko Sukenaga, Reg. No. 39446

1801 East 9th Street  
Suite 1200  
Cleveland, Ohio 44114-3108  
(216) 579-1700

Date: February 13, 2009